

**UNITED STATES DISTRICT COURT**

MIDDLE DISTRICT OF ALABAMA  
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POST OFFICE BOX 711  
MONTGOMERY, ALABAMA 36101-0711

DEBRA P. HACKETT, CLERK

TELEPHONE (334) 954-3600

December 20, 2006

**NOTICE OF NON-COMPLIANCE**

**To: ALL COUNSEL OF RECORD**

**Case Style: Progressive Specialty Ins. Co. V. Finch et al**

**Case Number: 2:06cv336-MHT**

**Referenced Pleading: Motion for Default Judgment**

**Docket Entry Number: #23**

**The referenced pleading was incorrectly e-filed on 12/19/06. The Motion for Default Judgment should have been filed as an Application for Entry of Default. The e-filer has refiled an Application for Entry of Default (Doc. #24); however, the Affidavit was omitted when e-filed. The Motion for Default Judgment (Doc. #23) has been terminated and the Affidavit of Larry Bradford, Attachment 1 to Doc. #23 has been attached to the Application for Entry of Default. A copy of the Affidavit is also attached to this Notice.**